

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6056

BILL NUMBER: HB 1019

DATE PREPARED: Feb 9, 1999

BILL AMENDED: Feb 8, 1999

SUBJECT: Therapeutic and special needs foster care.

FISCAL ANALYST: Ron Sobecki

PHONE NUMBER: 232-9854

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill provides that a therapeutic foster family home is a foster family home: (1) that provides care to a seriously emotionally disturbed or developmentally disabled child; (2) in which a child receives treatment in a family home that is supervised by certain qualified program staff; and (3) that meets all of the requirements for licensing of a foster family home and certain supplementary requirements, including additional training for therapeutic foster parents. The bill prohibits a therapeutic foster parent from providing care to more than two foster children, not including children for whom the therapeutic foster parent is a parent, stepparent, guardian, custodian, or other relative. It allows the division of family and children to permit a therapeutic foster family home to provide care for more than two foster children whenever the placement of siblings in the same therapeutic foster family home is desirable or in the best interests of the foster children residing in the home.

This bill provides that a special needs foster family home is a foster family home that provides care for a child who has a mental, physical, or emotional handicap and who will require additional supervision or assistance in behavior management, activities of daily living, or management of medical problems. The bill prohibits a special needs foster parent from providing care to more than eight children (including the foster family's children), and requires that not more than four of the children may be less than six years of age. It provides that the Division of Family and Children may grant an exception to the maximum number of children who may be cared for in a special needs foster home whenever the division of family and children determines that the placement of siblings in the same special needs foster home is desirable.

This bill requires the Division of Family and Children to consider the specific needs of each special needs foster child whenever the Division of Family and Children determines the appropriate number of children to place in the special needs foster home. The bill prohibits the Division of Family and Children from removing a special needs foster child or a therapeutic foster child from a foster family home in which the child is placed before July 1, 1999, due to the home's failure to meet the new licensing requirements unless the Division determines that remaining in the home is not in the child's best interest. The bill reestablishes

the Board for the Coordination of Child Care Regulation, which expired November 1, 1997, for a period beginning July 1, 1999, and ending July 1, 2001. It requires the Board for the Coordination of Child Care Regulation to study laws governing the regulation of child care and to make recommendations to the General Assembly concerning changes in the law that the Board for the Coordination of Child Care Regulation finds appropriate. (The introduced version of this bill was prepared by the Interim Study Committee on Family Law Issues.)

Effective Date: July 1, 1999.

Explanation of State Expenditures: This bill would establish a statutory definition of therapeutic foster family homes and special needs foster family homes. Currently, since there are no definitions in statute, each individual child placing agency has its own definition of therapeutic foster care homes as well as training requirements necessary to become a therapeutic foster care parent. It is not anticipated that the new statutory definition will create more therapeutic foster care homes or special needs foster family homes.

This bill also reestablishes the Board for the Coordination of Child Care Regulation until July 1, 2001. The Board is to be made up of four legislators and 13 lay members, who are to receive travel reimbursement and per diem. The current Legislative Council Resolution allows for a budget of \$18,500 per year for committees of sixteen members or more. The Legislative Services Agency is to provide staff to the Board.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration, Legislative Services Agency.

Local Agencies Affected:

Information Sources: